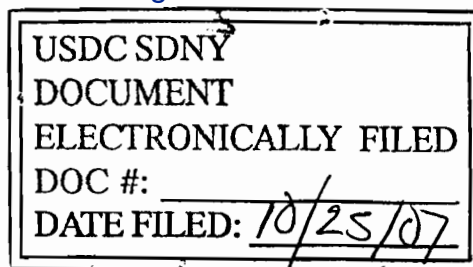




THE CITY OF NEW YORK
LAW DEPARTMENT

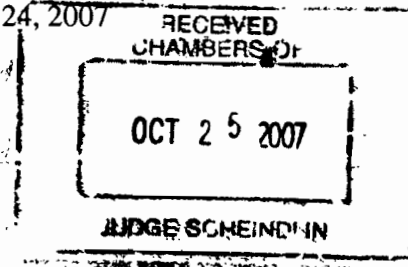
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October 24, 2007



BY HAND

Honorable Shira A. Scheindlin
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Jeannot v. The City of New York, et al. 07 CV 8480 (SAS)

Dear Judge Scheindlin:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel for the City of New York, assigned to the above-referenced case on behalf of defendant the City of New York. I am writing with the consent of plaintiff's counsel, Darius Wadia, Esq., to respectfully request: (1) that the City be granted a sixty (60) day enlargement of time from October 24, 2007, to December 24, 2007, to answer or otherwise respond to the complaint, and (2) a corresponding adjournment of the initial conference, which is currently scheduled for November 28, 2007, at 4:30 p.m., to a later date convenient to the court after defendant City has filed its answer. This is City's first request for an enlargement of time in this action.

The complaint alleges, *inter alia*, that plaintiff Yvon Jeannot was subjected to unlawful search and seizure; false arrest and imprisonment; and malicious prosecution. In addition to the City of New York, the complaint also purports to name Police Officer Mark Morales and Traffic Enforcement Agent Ursula Edgehill as defendants. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. The enlargement of time will afford us the opportunity to investigate the matter.

Moreover, the enlargement will allow us to ascertain whether the individually named defendants have been served.¹ If service has been effectuated, then, pursuant to Section 50-k of the

¹ Although this office does not currently represent Officer Morales or Agent Underhill, this office also respectfully requests this extension on their behalves in order to prevent their defenses from being jeopardized while representational issues are being resolved. To date, it appears that both Officer Morales and Agent Edgehill have been served. Officer Morales's and Agent Edgehill's answers are due, respectively, on November 5, 2007, and on October 31, 2007. We therefore also respectfully request that these individuals be granted until December 24, 2007, to answer the complaint.

Granted in part, denied in part. The conference will be held on Nov. 28 as scheduled. But the City's time to respond to the Complaint is extended to Dec. 24, 2007.

So Ordered: Judge usdg 10/25/07

New York General Municipal Law, this office must determine, based on a review of the case, whether we may represent the individually named defendants. The individually named defendants must then decide whether they wish to be represented by this office. If so, we must obtain their written authorization. Only after this procedure has been followed can we determine how to proceed in this case. See Mercurio v. The City of New York et al., 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting Williams v. The City of New York et al., 64 N.Y.2d 800, 486 N.Y.S. 2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

In view of the foregoing, it is respectfully requested that the Court grant the within requests to: (1) extend the City's time to answer the complaint until December 24, 2007, and (2) adjourn the initial conference, which is currently scheduled for November 28, 2007, to a later date convenient to the court.

Thank you for your consideration in this regard.

Respectfully submitted,



Robyn N. Pullio (RP 7777)
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cc: BY FAX
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